

**SECRETARY OF STATE[721]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code sections 17A.3 and 490.135 and chapter 489, the Secretary of State hereby gives Notice of Intended Action to amend Chapter 40, “Corporations,” Iowa Administrative Code.

The rules in Chapter 40 specify actions related to applications and filing requirements for corporations, including the payment and refund of fees. This amendment to Chapter 40 proposes to adopt new rule 721—40.8(489,490), which codifies the existing fees and procedures for filing biennial reports pursuant to Iowa Code sections 489.209 and 490.1622. In collecting the fees associated with Iowa Code sections 489.209 and 490.1622, the Secretary of State has followed the established procedures of previous Secretaries of State for collecting the fees. These procedures were not codified by previous Secretaries, and the current Secretary of State wishes to clarify compliance with Iowa Code chapter 17A. No new fees or increases to current fees will be added by the adoption of rule 721—40.8(489,490).

Any interested person may make written suggestions or comments on this proposed amendment on or before December 6, 2011. Written suggestions or comments should be directed to Doug Struyk, Legal Counsel, Office of the Secretary of State, Capitol Building, Des Moines, Iowa 50319; fax (515)242-5952. Persons who wish to convey their views orally should contact the Secretary of State’s office by telephone at (515)281-7041 or in person at the Secretary of State’s office on the first floor of the Lucas State Office Building.

This amendment was also Adopted and Filed Emergency and is published herein as **ARC 9861B**. The purpose of this Notice is to solicit comment on that submission, the subject matter of which is incorporated herein by reference.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code sections 489.209 and 490.1622.